
Introduced by Senator Romero

February 20, 2004

An act to amend Section 12309.5 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1670, as introduced, Romero. Elections: poll standards.

Existing law requires the Secretary of State to adopt uniform standards for the training of precinct board members based upon the recommendations of a task force of members appointed by the secretary. Existing law requires that the uniform standards address poll hours, among other things.

This bill would require that in addition to poll hours, the standards also address procedures concerning the opening and closing of polling locations on election day, and would require that procedures be developed to ensure that all eligible voters who arrive at the polling location prior to closing time are allowed to vote.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12309.5 of the Elections Code is
2 amended to read:
3 12309.5. (a) No later than June 30, 2005, the Secretary of
4 State shall adopt uniform standards for the training of precinct
5 board members, based upon the recommendations of the task force
6 appointed pursuant to subdivision (b). The uniform standards
7 shall, at a minimum, address the following:

1 (1) The rights of voters, including, but not limited to, language
2 access rights for linguistic minorities, the disabled, and protected
3 classes as referenced and defined in the federal Voting Rights Act
4 (42 U.S.C. Sec. 1973 et seq.).

5 (2) Election challenge procedures such as challenging precinct
6 administrator misconduct, fraud, bribery, or discriminatory voting
7 procedures as referenced and defined in the federal Voting Rights
8 Act (42 U.S.C. Sec. 1973 et seq.).

9 (3) Operation of a jurisdiction's voting system, including, but
10 not limited to, modernized voting systems, touch-screen voting,
11 and proper tabulation procedures.

12 (4) Poll hours *and procedures concerning the opening and*
13 *closing of polling locations on election day. Procedures shall be*
14 *developed that, notwithstanding long lines or delays at a polling*
15 *location, ensure that all eligible voters who arrive at the polling*
16 *location prior to closing time are allowed to cast a ballot.*

17 (5) Relevant election laws and any other subjects that will assist
18 an inspector in carrying out his or her duties.

19 (6) Cultural competency, including, but not limited to, having
20 adequate knowledge of diverse cultures, including languages, that
21 may be encountered by a poll worker during the course of an
22 election, and the appropriate skills to work with the electorate.

23 (7) Knowledge regarding issues confronting voters who have
24 disabilities, including, but not limited to, access barriers and *the*
25 need for reasonable accommodations.

26 (8) Procedures involved with provisional, fail-safe
27 provisional, absentee, and provisional absentee voting.

28 (b) The Secretary of State shall appoint a task force of at least
29 12 members who have experience in the administration of
30 elections and other relevant backgrounds to study and recommend
31 uniform guidelines for the training of precinct board members.
32 The task force ~~exists~~ *shall consist* of the chief elections officer
33 of the two largest counties, the two smallest counties, and two
34 county elections officers selected by the Secretary of State, or their
35 designees. The Secretary of State shall appoint at least six other
36 members who have elections expertise, or their designees,
37 including members of community-based organizations that may
38 include citizens familiar with different ethnic, cultural, and
39 disabled populations to ensure that the task force is representative
40 of the state's diverse electorate. The task force shall make its

1 recommendations available for public review and comment prior
2 to ~~their~~ *the* submission of *the recommendations* to the Secretary of
3 State and the Legislature.

4 (c) The task force shall file its recommendations with the
5 Secretary of State and the Legislature no later than January 1,
6 2005.

